

EXHIBIT A

NetRatings, Inc. v. WebSideStory, Inc.
Case No. 06-878 (LTS) (AJP)

EXHIBIT A

JOINT CLAIM CONSTRUCTION CHART

TABLE 1¹

**CLAIM TERMS FROM U.S. PATENT NOS. 5,675,510 (“510 PATENT”) AND 6,115,680 (“680 PATENT”)
NETRATINGS, INC. AND/OR WEBSIDESTORY, INC. CONTEND REQUIRE CONSTRUCTION**

No.	Asserted U.S. Patent(s) Nos. and Claims²	Term	NETRATINGS’ PROPOSED CONSTRUCTION	WEBSIDESTORY’S PROPOSED CONSTRUCTION
1.	5,675,510 [1, 2]; 6,115,680 [1, 3, 12]	local computer use meters/user meter	a software program designed to collect information regarding the use of other software programs on a computer on which the software program is installed	A software program, that runs independently from other software programs on a personal computer, designed to collect information regarding the use of any other given software program running on that personal computer.
2.	5,675,510 [1]; 6,115,680 [1, 4, 12, 15]	log of predetermined [machine operation] events	a record of data regarding the occurrence of pre-selected potential events [related to machine operations]	A file, created by the local computer use meter, designed to record the occurrence of multiple internal [operating system] messages that have been selected in advance by the designer of the local computer use meter as being of interest and which are generated in response to user actions performed on the computer, over a period of time in a time sequential order.
3.	5,675,510 [1]; 6,115,680 [1, 12]	installed in user computer machines	placed on and ready for use by a user computer	Placed, by direct user action, in the permanent program storage of a personal computer, and able to run whenever the personal computer is in use, until removed by direct user action.
4.	5,675,510 [1, 11]	log	a record	A file, created by the local computer use meter, designed to record the occurrence of multiple events over a period of time in a time sequential order.

¹ The patents asserted in this action by NetRatings, Inc. are: U.S. Patent Nos. 5,675,510 (“510 patent”); 6,115,680 (“680 patent”); 6,138,155 (“155 patent”); 6,763,386 (“386 patent”); and 6,108,637 (“637 patent”).

² Asserted claims in which the term to be construed appear are listed in brackets following the patent number.

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No.	Asserted U.S. Patent(s) Nos. and Claims ²	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
5.	5,675,510 [1, 9, 11]	machine operation events	machine operation events: events relating to operations performed on the computer	Internal operating system messages generated in response to user actions performed on the computer.
6.	5,675,510 [1]	stored in memory of said computer machines	placed in memory of the user computer on which the local computer use meter is installed	The log file is written to the permanent memory (e.g., hard drive) of the user computer machine that is running the local computer use meter.
7.	5,675,510 [1]	identify titles of open windows and reflects a log of titles of world wide web pages	identify titles of open windows: contains characters identifying open windows reflects a log of titles of world wide web pages: reflects a record of characters useful in identifying world wide web pages	The log contains (1) the full names of open windows as they appear in the window's title bar, when the window is displayed on the computer's display, and (2) the full names of world wide web pages that appear in the window's title bar, when those pages are displayed in a window on the computer's display.
8.	5,675,510 [9, 11]	dictionary/ dictionary file	dictionary: a database or file containing entries used to interpret or correlate data dictionary file: a file containing entries used to interpret or correlate data	A customizable file identifying the predetermined machine operation events contained in the log files.

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No.	Asserted U.S. Patent(s) Nos. and Claims ²	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
9.	5,675,510 [9]	means for interpreting the logged machine operation events by reference to the dictionary file	<p>Function: interpreting the logged machine operation events by reference to the dictionary file</p> <p>Structure: A processing system programmed to perform the recited function, as described in the specification sections cited below, and all structural equivalents of such processing system.</p> <p>Specifications citations: Col. 1, ll. 57-60; Col. 2, ll. 63-67; Col. 5, ll. 23-40; Col. 5, ll. 51-63; Fig. 1.</p>	<p>Function: Ascribing meaning to elements of the raw data contained in the log files.</p> <p>Structure: Because this element is subject to the requirements of 35 U.S.C. § 112, ¶ 6, the corresponding structure must be the specific algorithm(s) disclosed in the specification for performing the recited function. The '510 patent, however, does not disclose any algorithm for performing the claimed function, and thus WebSideStory contends that this claim element is indefinite.</p> <p>In the event that the Court does not find this claim to be indefinite, WebSideStory submits that the only disclosure in the specification that could conceivably be argued to be clearly linked to the recited function is as follows:</p> <p>A microprocessor based computer programmed to recognize the events contained in the log files based on the predetermined machine operation events identified in the dictionary file, and which further stores any unrecognized events for subsequent manual identification and addition to the dictionary file.</p>
10.	5,675,510 [11]	generating a log of machine operation events in each of a plurality of user computer systems	generating a log of machine operation events in each user computer system of a group of more than one user computer systems	Generating, at each user computer system in a group of at least two such systems, a log of the machine operation events that occurred in that user computer system.

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No.	Asserted U.S. Patent(s) Nos. and Claims ²	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
11.	5,675,510 [11]	storing each of the events in said log in the local computer memory of said user computer systems	placing each of the events in the log in memory of the user computer on which the local computer use meter is installed	For each user computer system, copying the log of machine operation events that occurred on that user computer system into a different storage location of the user computer system.
12.	5,675,510 [11]	transferring said stored events from said plurality of user computer systems to a processing station computer	transferring the stored machine operation events from each user computer system to a processing station computer	Transferring, from each user computer system to a processing station computer, the log of machine operation events previously stored on that user computer system.
13.	5,675,510 [11]	identify titles of windows and world wide web pages	contain characters identifying windows and world wide web pages	The log contains (1) the full names of open windows as they appear in the window's title bar, when the window is displayed on the computer's display, and (2) the full names of world wide web pages that appear in the window's title bar, when those pages are displayed in a window on the computer's display
14.	5,675,510 [11]	correlates said titles to identifiable labels	correlates titles to labels identifiable for reporting	The limitation is indefinite because the meaning of "identifiable labels" cannot be determined from the claim language or a reading of the '510 patent specification.
15.	6,115,680 [1, 3, 4, 12, 14, 15]	events	occurrences or actions detectable by a computer	Internal messages generated by the local computer in response to user action performed on the computer.

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16.	6,115,680 [1]	stored in an associated user computer machine	placed in memory or on a mass storage device in the user computer	The log file is written to the permanent memory (e.g., hard drive) of the user computer machine that is running the local computer use meter.
17.	6,115,680 [1, 12]	identifies character strings reflecting on-line activity	identifies a group of characters that reflect activity performed on-line	Identifies character strings that were intercepted while being sent to a communications port whose syntax was recognized by the local computer use meter as being consistent with on-line activity, or identifies titles of windows that the local computer use meter identified as representing on-line activity.
18.	6,115,680 [12]	logging predetermined events by a plurality of local computer use meters	two or more local computer use meters recording data regarding the occurrence of pre-selected potential events	Each local computer use meter maintains a log file (i.e., a record of events occurring over a period of time in a time sequential order) of actions taken by the computer on which the local computer use meter is installed.
19.	6,115,680 [12]	storing said log of predetermined events by each use meter in an associated user computer machine	placing the log of predetermined events logged by each use meter in the user computer	For each user computer system, copying the log of machine operation events that occurred on that user computer system into a different storage location of the local computer memory of the user computer system.

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TABLE 2

**CLAIM TERMS FROM U.S. PATENT NOS. 6,138,155 (“‘155 PATENT”) AND 6,763,386 (“‘386 PATENT”)
NETRATINGS, INC. AND/OR WEBSIDESTORY, INC. CONTEND REQUIRE CONSTRUCTION**

No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS’ PROPOSED CONSTRUCTION	WEBSIDESTORY’S PROPOSED CONSTRUCTION
20.	6,138,155 [1-3, 6-10, 18, 19, 21, 26, 30, 33-35, 38, 41, 45]; 6,763,386 [1, 2, 4, 5, 8, 10-14, 16, 17, 20, 22, 23, 24]	resource	computer data or program, such in the form of a Web page or part of a Web page, images, an ad banner, or an interactive game	A resource is a collection of data that may be accessed over the network by a single name, such as a URL. A resource may be, for example, a web page, a database file, a multimedia application, an interactive game, an ad banner or an executable program and includes all embedded components that are necessarily displayed in order to display the resource.
21.	6,138,155 [1-3, 6-8, 26, 29, 33-35, 38, 41, 44]	executable program	computer program that can be run on a computer	A compiled software program, that can operate on a personal computer independently of a browser, that executes on a personal computer throughout the display of a resource.
22.	6,138,155 [1, 33]	monitor use of the resource	monitor use of the resource monitor: track, check, observe, detect or capture for a specific purpose	Keep track, over a period of time, of the use of a resource by a user once the resource has been downloaded to a personal computer.
23.	6,138,155 [1, 33]	the first server and second server comprising two servers	the first server is a different machine than the second server	The server from which the executable program is downloaded is different from the server from which the resource to be monitored by the executable program has been downloaded.

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No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
24.	6,138,155 [1, 33]	the executable program not being part of the resource	the executable program not contained within the resource	The entire instructions constituting the executable program are located in a file that is separate from any file that contains content that is displayed as part of the resource.
25.	6,138,155 [1, 10, 33]	client identifying indicia	any information that can be used to associate data with a client	Information that identifies the client.
26.	6,138, 155 [1, 8, 9, 10, 18, 19, 21, 33, 38]; 6,763,386 [1, 4, 5, 11-13, 16, 17, 23, 24]	resource use data	information describing or derived from use of a resource	Information derived from the use of a resource by a user throughout the time that the resource has been downloaded to the personal computer.
27.	6,138,155 [18]	comprises data representative of a plurality of preferences of a user	comprises information from which a user's preferences can be determined	Contains information from which two or more choices that a user favors over other alternatives can be determined.
28.	6,138,155 [19]	comprises data representative of a plurality of interests of a user	comprises information from which a user's interests can be determined	Contains information from which two or more items of interest to a user can be determined.

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No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
29.	6,763,386 [1, 3, 9, 13, 15, 21]	tracking program	computer readable code that monitors use of a computer	A software program, that can operate on a personal computer independently of a browser, that executes on a personal computer throughout the display of one or more resources in order to generate information about the use of those resources by a user, including at least determining an amount of time that the user interacted with (i.e., viewed or used) at least a portion of the resources.
30.	6,763,386 [1, 13]	monitor interaction through the client computer with at least one of the first resource and one or more second resources	monitor interaction through the user computer with a first or second resource	Keep track, over a period of time, of the actions taken on the personal computer by the user with respect to one or more resources that have been downloaded to the personal computer.
31.	6,763,386 [1, 13]	storing resource use data associated with the monitored interaction	placing resource use data in memory or on a mass storage device	Placing the information derived from the user's interaction with one or more resources, during the time that the one or more resources have been downloaded to the personal computer, into memory or a mass storage device for communicating to a server.
32.	6,763,386 [3, 15]	embedded	contained within or incorporated by reference	See claim element 33
33.	6,763,386 [3, 15]	the tracking program is embedded in the Web page	the tracking program is contained within or incorporated by reference in the Web page	The Web page contains instructions identifying the location of the tracking program and specifying the parameters for rendering its output as part of the Web page.

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No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
34.	6,763,386 [6, 18]	monitoring input device events	monitoring operations performed using an input device	Keeping track over time of changes in the state of a computer generated in response to actions performed by a user on an external device connected to the computer, such as a mouse or a keyboard.
35.	6,763,386 [9, 21]	downloading the tracking program from a second server of the one or more servers	downloading the tracking program from a server other than the first server	The second server must be a different server than the server from which the resource being monitored is downloaded.
36.	6,763,386 [10, 22]	monitoring details of choices made by a user of the first client using an input device of the first client	monitoring details of two or more choices made by a user of the user computer using an input device input device: a device which enables a user to input data into a computer	Keeping track over time of the choices made on a personal computer by a user through an external device connected to the personal computer.
37.	6,763,386 [10, 22]	the choices being associated with at least one of the first resource and the one or more second resources	choices being associated with a first or second resource	The choices reflecting actions taken by the user with one or more resources throughout the time that the one or more resources have been downloaded to the personal computer.

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No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS' PROPOSED CONSTRUCTION	WEBSIDESTORY'S PROPOSED CONSTRUCTION
38.	6,763,386 [11, 23]	storing the resource use data in the client computer	placing the resource use data in memory or on a mass storage device of the client computer	Placing the information derived from the user's interaction with one or more resources during the time that the one or more resources have been downloaded to the personal computer into the memory or mass storage device of the personal computer for communicating at a later point in time.

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TABLE 3

**CLAIM TERMS FROM U.S. PATENT NO. 6,108,637 (“‘637 PATENT”)
NETRATINGS, INC. AND/OR WEBSIDESTORY, INC. CONTEND REQUIRE CONSTRUCTION**

With respect to the claim elements contained in this Table 2, both NetRatings and WebSideStory agree that each element which begins “means for” is governed by 35 U.S.C. 112(6); these are numbers 39-50 on Table 3. However, WebSideStory contends that certain other elements from the asserted patents should also be governed by 35 U.S.C. 112(6). NetRatings disagrees with WebSideStory’s contention. The elements about which there is disagreement as to the appropriate treatment are numbers 51-59 on Table 3.

No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS’ PROPOSED CONSTRUCTION ³	WEBSIDESTORY’S PROPOSED CONSTRUCTION ⁴
39.	6,108,637 [[11]; [28, 33]]	means for monitoring the change in time of a characteristic of a content display [11] means for monitoring the change in time of a characteristic of the content display [28, 33]	Function: monitoring the value of a characteristic of a content display at two or more times monitoring: tracking, checking, observing, detecting or capturing for a specific purpose characteristic of a content display: a characteristic of any sensory image produced by a device or a characteristic of data used to produce a sensory image on a device characteristic: a distinguishing attribute, element, trait, quality or property Structure: A set of computer instructions which can be embodied in one or more computer programs, which cause one or more computer systems to	Function: Keeping track of the change, over a period of time, in the appearance of the display of content on a computer screen. Structure: A Java applet operating on the client computer programmed to cause content to be displayed within a window and: either (i) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (ii) record the position of the on-screen pointer in the window and when the on-screen pointer entered or exited the window through the Java HandleEvent method; and (iii) record time stamps associated with (i) and (ii).

³ NetRatings disagrees with WebSideStory’s contention in footnote 4. The claims of the ‘637 Patent are not indefinite.

⁴ WebSideStory submits that all of the claim terms in U.S. Patent 6,108,637 are indefinite and submits the following constructions in the alternative in the event that the Court does not find the claim terms indefinite.

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No.	Asserted U.S. Patent(s) Nos. and Claims	Term	NETRATINGS' PROPOSED CONSTRUCTION ³	WEBSIDESTORY'S PROPOSED CONSTRUCTION ⁴
			<p>perform the recited function using one or more of the methods disclosed in the specification sections cited below, and which can be implemented using any appropriate computer language, and all structural equivalents of such set of computer instructions.</p> <p>Specification citations: Col. 7, ll. 66 - Col. 8, l. 5; Col. 8, ll. 29-37; Col. 10, l. 58 - Col. 11, l. 2; Col. 11, ll. 9-14, 38-67; Col. 12, ll. 1-36; Col. 13, ll. 17-21; Col. 13, ll. 35-40; Col. 13, ll. 11-67; Col. 14, l. 1 - Col. 18, l. 10; Col. 14, ll. 27-31; Col. 16, ll. 13-38; Col. 17, ll. 11-13, . 21-22, 29-34, 39-55; Col. 23, ll. 1-9; Col. 25, ll. 38-45; Figs. 3B, 5C, 6D.</p>	
40.	6,108,637 [11, 33]	means for evaluating the change in time of the characteristic of the content display to produce monitoring information regarding display of the content [11, 33]	<p>Function: evaluating the value of a characteristic of the content display at two or more times to produce monitoring information regarding whether or how the content is displayed</p> <p>Structure: A set of computer instructions which can be embodied in one or more computer programs, which cause one or more computer systems to perform the recited function using one or more of the methods disclosed in the specification sections cited below, and which can be implemented using any appropriate computer language, and all structural equivalents of such set of computer instructions.</p> <p>Specification citations: Col. 7, ll. 66- col. 8, ll. 5; Col. 8, ll. 29-37; Col. 10, ll. 22 - Col. 11, ll. 2; Col. 11, ll. 9-14, 37-67; Col. 12, ll. 1-36; Col. 13, ll. 17-21; Col. 13, ll. 35-40; Col. 14, l. 1 - Col. 18, l. 10; Col. 14, ll. 27-31; Col. 16, ll. 13-38; Col. 17, ll. 11-13; ll. 21-</p>	<p>Function: Using information about the change over a period of time in the appearance of the display of content on a computer screen in order to derive additional information about how the appearance of the content has changed during that period of time.</p> <p>Structure: A Java applet operating on the client computer programmed to calculate: (i) the duration of each period of time, or the total duration of time, that portions of the applet's display are unobstructed, partially hidden or fully hidden; or (ii) a duration of time, or the total number of times, that the pointer was in a defined area of the applet's display.</p>

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			22; ll. 29-34; ll. 39-55; Col. 20, l. 64-Col. 21, l. 6; Col. 21, ll. 24-26; Col. 22, ll. 17-24; Col. 23, ll. 1-9; Col. 25, ll. 38-45; Figs. 3B, 5C, 6D.	
41.	6,108,637 [28]	means for evaluating the change in time of the characteristic of the content display to produce monitoring information [28]	<p>Function: evaluating the value of the characteristic of the content display at two or more times to produce monitoring information</p> <p>Structure: A set of computer instructions which can be embodied in one or more computer programs, which cause one or more computer systems to perform the recited function using one or more of the methods disclosed in the specification sections cited below, and which can be implemented using any appropriate computer language, and all structural equivalents of such set of computer instructions.</p> <p>Specification citations: Col. 7, ll. 66- col. 8, ll. 5; Col. 8, ll. 29-37; Col. 10, ll. 22 - Col. 11, ll. 2; Col. 11, ll. 9-14, 37-67; Col. 12, ll. 1-36; Col. 13, ll. 17-21; Col. 13, ll. 35-40; Col. 14, ll. 27-31; Col. 16, ll. 13-38; Col. 17, ll. 11-13; ll. 21-22; ll. 29-34; ll. 39-55; Col. 20, l. 64-Col. 21, l. 6; Col. 21, ll. 24-26; Col. 22, ll. 17-24; Col. 23, ll. 1-9; Col. 25, ll. 38-45; Figs. 3B, 5C, 6D.</p>	<p>Function: Using information about the change over a period of time in the appearance of the display of content on a computer screen in order to derive additional information about how the appearance of the content has changed during that period of time.</p> <p>Structure: A Java applet operating on the client computer programmed to calculate: (i) the duration of each period of time, or the total duration of time, that portions of the applet's display are unobstructed, partially hidden or fully hidden; or (ii) a duration of time, or the total number of times, that the pointer was in a defined area of the applet's display.</p>
42.	6,108,637 [30]; [18, 36]	means for monitoring the display of content to produce monitoring information regarding display of the content [30] means for monitoring	<p>Function: monitoring the display of content to produce monitoring information regarding whether or how the content is displayed</p> <p>Structure: A set of computer instructions which can be embodied in one or more computer programs, which cause one or more computer systems to perform the recited function using one or more of the</p>	<p>Function: Keeping track of the display of content on a client computer to generate information about whether the content is being displayed, or how it appears, on the display screen.</p> <p>Structure: A Java applet operating on a client computer programmed to cause content to be displayed in a window and which: (i) indicates that</p>

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		display of the content to produce monitoring information regarding display of the content [18, 36]	<p>methods disclosed in the specification sections cited below, and which can be implemented using any appropriate computer language, and all structural equivalents of such set of computer instructions.</p> <p>Specification citations: Col. 7, ll. 66- col. 8, ll. 5; Col. 8, ll. 29-37; Col. 10, ll. 58- Col. 11, ll. 2; Col. 11, ll. 9-14, 38-67; Col. 12, ll. 1-36; Col. 13, ll. 17-21; Col. 13, ll. 35-40; Col. 14, l. 1 - Col. 18, l. 10; Col. 14, ll. 27-31; Col. 16, ll. 13-38; Col. 17, ll. 11-13; ll. 21-22; ll. 29-34; ll. 39-55; Col. 23, ll. 1-9; Col. 25, ll. 38-45; Figs. 3B, 5C, 6D.</p>	the applet has executed each time that the content is displayed; (ii) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (iii) record the position of the on-screen pointer in the window and when the on-screen pointer entered or exited the window through the Java HandleEvent method; or (iv) ascertains, through time stamps, a predefined beginning and end of the execution of the applet's instructions for displaying the content.
43.	6,108,637 [18]	means for transferring the means for monitoring from the content provider site to the content display site in response to the transfer of content from a content provider site	<p>Function: transferring the means for monitoring from the content provider site to the content display site in reply or reaction to the transfer of content from a content provider site</p> <p>Structure: A set of computer instructions implemented on a content provider site and a set of computer instructions implemented on a content display site which when executed at their respective sites perform the function using one or more of the methods disclosed in the specification sections cited below, linked by a communication network, and all structural equivalents of such sets of computer instructions and communication network.</p> <p>Specification citations: Col. 6, ll. 57-67; Col. 7, ll. 1-3; Col. 7, ll. 66 - Col. 8, ll. 5; Col. 8, ll. 29-37; Col. 8, ll. 43-49; Col. 10, ll. 22-67; Col. 11, l. 15-Col. 12, l. 39; Col. 19, l. 66-Col. 21, l. 6; Col. 23, ll. 1-9; Col. 22, ll. 2-11; Col. 23, ll. 56-60; Col. 25, ll. 13-27; Col. 25, ll. 32-45; Figs. 3A-3B, 5A-5C, 6A-6D.</p>	<p>Function: Transferring the means for monitoring the display of content from a content provider site to a client computer as a result of the transfer of content from the content provider site to the client computer.</p> <p>Structure: Java-enabled web browser software that downloads a Java applet from a web server in response to an HTML <APPLET> tag.</p>

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44.	6,108,637 [20, 35]	means for transferring the monitoring information to a remote site that is part of the network	<p>Function: transferring the monitoring information to a remote site that is part of the network</p> <p>Structure: A set of computer instructions implemented on a content display site and a set of computer instructions implemented on a remote site which when executed at their respective sites perform the function using one or more of the methods disclosed in the specification sections cited below, linked by a communication network, and all structural equivalents of such sets of computer instructions and communication network.</p> <p>Specification citations: Col. 6, ll. 57-67; Col. 7, ll. 1-3; Col. 7, ll. 66 - Col. 8, ll. 5; Col. 8, ll. 29-37; Col. 8, ll. 43-49; Col. 10, ll. 22-67; Col. 11, l. 15-Col. 12, l. 39; Col. 19, l. 66-Col. 21, l. 6; Col. 23, ll. 1-9; Col. 22, ll. 2-11; Col. 23, ll. 56-60; Col. 25, ll. 13-27; Col. 25, ll. 32-45; Figs. 3A-3B, 5A-5C, 6A-6D.</p>	<p>Function: Sending the information generated by the means for monitoring from the client computer and receiving that information at a remote site.</p> <p>Structure: A Java applet operating on the client computer programmed to send the monitoring information generated by the Java applet from the client computer to the content provider site, and software located at the content provider site programmed to receive the monitoring information as part of an http file name in an http log file or as part of an http request for execution of a CGI script.</p>
45.	6,108,637 [30]	means for transferring the means for monitoring from the content provider site to the content display site so that the means for monitoring operates at the content display site	<p>Function: transferring the means for monitoring from the content provider site to the content display site so that the means for monitoring operates at the content display site</p> <p>Structure: A set of computer instructions implemented on a content provider site and a set of computer instructions implemented on a content display site which when executed at their respective sites perform the function using one or more of the methods disclosed in the specification sections cited below, linked by a communication network, and all structural equivalents of such sets of computer instructions and communication network.</p>	<p>Function: Transferring the means for monitoring the display of the content from a content provider site to a client computer, so that the means for monitoring begins executing once downloaded.</p> <p>Structure: Java enabled web browser software that downloads and executes a Java applet from a web server in response to an HTML <APPLET> tag.</p>

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			<p>Specification citations: Col. 6, ll. 57-67; Col. 7, ll. 1-3; Col. 7, ll. 66 - Col. 8, ll. 5; Col. 8, ll. 29-37; Col. 8, ll. 43-49; Col. 10, ll. 22-67; Col. 11, l. 15-Col. 12, l. 39; Col. 19, l. 66-Col. 21, l. 6; Col. 23, ll. 1-9; Col. 22, ll. 2-11; Col. 23, ll. 56-60; Col. 25, ll. 13-27; Col. 25, ll. 32-45; Figs. 3A-3B, 5A-5C, 6A-6D.</p>	
46.	6,108,637 [36]	means for transferring the monitoring information from the content display site to a remote site of the network that is different from the content provider site	<p>Function: transferring the monitoring information from the content display site to a remote site of the network that is different from the content provider site</p> <p>Structure: A set of computer instructions implemented on a content display site and a set of computer instructions implemented on a remote site, which when executed at their respective sites perform the function using one or more of the methods disclosed in the specification sections cited below, linked by a communication network and all structural equivalents of such sets of computer instructions and communication network.</p> <p>Specification citations: Col. 6, ll. 57-67; Col. 7, ll. 1-3; Col. 7, ll. 66 - Col. 8, ll. 5; Col. 8, ll. 29-37; Col. 8, ll. 43-49; Col. 10, ll. 22-67; Col. 11, l. 15-Col. 12, l. 39; Col. 19, l. 66-Col. 21, l. 6; Col. 23, ll. 1-9; Col. 22, ll. 2-11; Col. 23, ll. 56-60; Col. 25, ll. 13-27; Col. 25, ll. 32-45; Figs. 3A-3B, 5A-5C, 6A-6D.</p>	<p>Function: Sending the monitoring information generated by the means for monitoring from the client computer and receiving that information at remote site that is different from the content provider site.</p> <p>Structure: A Java applet running on the client computer programmed to send the monitoring information generated by the Java applet from the client computer to a remote site that is different from the site from which the monitored content was downloaded to the client computer, and software located at the remote site programmed to receive the monitoring information as part of an http file name in an http log file or as part of an http request for execution of a CGI script.</p>
47.	6,108,637 [38, 39, 40]	means for storing monitoring information at the remote site	<p>Function: storing monitoring information at the remote site</p> <p>Structure: Any appropriate database on a computer system at the remote site as described in the</p>	<p>Function: Storing monitoring information at a remote site.</p> <p>Structure: An http log file, or a computer program that extracts the value of the input denoting the</p>

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			specification sections cited below, and all structural equivalents of such database. Specifications citations: Col. 10, ll. 22-58; Col. 11, ll. 37-56; Col. 21, ll. 18-21; Col. 22, ll. 51-60; Col. 23, ll. 10-14; Figs. 3A-3B, 5A-5C, 6A-6D.	monitoring information from a CGI script, resident on a computer at the remote site that is different from the content provider site.
48.	6,108,637 [39]	means for storing monitoring information at the remote site is adapted to enable storage of monitoring information regarding the display of a plurality of sets of content	Portion of element subject to 35 U.S.C. 112(6): means for storing monitoring information at the remote site Function: storing monitoring information at the remote site Structure: Any appropriate database on a computer system at the remote site as described in the specification sections cited below, and all structural equivalents of such database. Specifications citations: Col. 10, ll. 22-58; Col. 11, ll. 37-56; Col. 21, ll. 18-21; Col. 22, ll. 51-60; Col. 23, ll. 10-14; Figs. 3A-3B, 5A-5C, 6A-6D.	Function: Storing monitoring information at a remote site that is specifically adapted to enable storage of monitoring information about the display of multiple different sets of content. Structure: An http log file, or a computer program that extracts the value of the input denoting the monitoring information from a CGI script, resident on a computer at the remote site that is different from the content provider site specifically adapted to enable storage of monitoring information about the display of one or more different sets of content.
49.	6,108,637 [40]	means for storing monitoring information at the remote site is adapted to enable storage of monitoring information regarding the display of content provided from the plurality of content provider sites	Portion of element subject to 35 U.S.C. 112(6): means for storing monitoring information at the remote site Function: storing monitoring information at the remote site Structure: Any appropriate database on a computer system at the remote site as described in the specification sections cited below, and all structural equivalents of such database.	Function: Storing monitoring information at a remote site that is specifically adapted to enable storage of monitoring information about the display of content provided by multiple content provider sites. Structure: An http log file, or a computer program that extracts the value of the input denoting the monitoring information from a CGI script, resident on a computer at the remote site that is different from

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			Specifications citations: Col. 10, ll. 22-58; Col. 11, ll. 37-56; Col. 21, ll. 18-21; Col. 22, ll. 51-60; Col. 23, ll. 10-14; Figs. 3A-3B, 5A-5C, 6A-6D.	the content provider site specifically adapted to enable storage of monitoring information regarding the display of content provided by one or more content provider sites.
50.	6,108,637 [41]	means for accessing the monitoring information stored at the remote site from a site on the network other than the remote site, such that a user at the other site can interact with the monitoring information but cannot modify the monitoring information	<p>Function: accessing the monitoring information stored at the remote site from a site on the network other than the remote site, such that the user at the other site can interact with the monitoring information but cannot modify the monitoring information</p> <p>Structure: A set of computer instructions implemented on a computer system which when executed perform the function using one or more of the methods described in the specification sections cited below, and all structural equivalents of such set of computer instructions.</p> <p>Specifications citations: Col. 10, ll. 22-58; Col. 11, ll. 37-56; Col. 21, ll. 21-24; Col. 23, ll. 14-24; Col. 24, ll. 41-46; Figs. 3A-3B, 5A-5C, 6A-6D.</p>	<p>Function: Allowing a user to view the monitoring information stored at the remote site over a network connection, but preventing that user from modifying the information.</p> <p>Corresponding Structure: This claim is indefinite. There is no corresponding structure clearly linked to the function in the specification.</p>
51.	6,108,637 [57]	instructions for monitoring the change in time of a characteristic of a content display	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p>	<p>Function: Keeping track of the change, over a period of time, in the appearance of the display of content on a computer screen.</p> <p>Structure: A Java applet operating on the client computer programmed to cause content to be displayed within a window and: either (i) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (ii) record the position of</p>

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			monitoring the value of change in time of a characteristic of a content display at two or more times	the on-screen pointer in the window and when the on-screen pointer entered or exited the window through the Java HandleEvent method; and (iii) record time stamps associated with (i) and (ii).
52.	6,108,637 [57, 62]	instructions for evaluating the change in time of the characteristic of the content display to produce monitoring information regarding display of the content	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for evaluating the value of a characteristic of the content display at two or more times to produce monitoring information regarding whether or how the content is displayed</p>	<p>Function: Using information about the change over a period of time in the appearance of the display of content on a computer screen in order to derive additional information about how the appearance of the content has changed during that period of time.</p> <p>Structure: A Java applet operating on the client computer programmed to calculate: (i) the duration of each period of time, or the total duration of time, that portions of the applet's display are unobstructed, partially hidden or fully hidden; or (ii) a duration of time, or the total number of times, that the , pointer was in a defined area of the applet's display.</p>
53.	6,108,637 [59]	instructions for ascertaining the beginning of a display of content	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for ascertaining the beginning of a display of content</p>	<p>Function: Ascertaining the beginning of a display of content on a screen</p> <p>Structure: A Java applet operating on the client computer programmed to record the time when it begins to display content on the screen of a client computer.</p>

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54.	6,108,637 [59]	instructions for ascertaining the end of a display of the content	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for ascertaining the end of a display of the content</p>	<p>Function: Ascertaining the end of a display of content on a screen.</p> <p>Structure: A Java applet operating on the client computer programmed to record the time when it ends the display of content on the screen of a client computer.</p>
55.	6,108,637 [59]	instructions for monitoring display of the content, wherein: the instructions for monitoring begin executing when the beginning of a display of the content is ascertained; and the instructions for monitoring stop executing when the end of a display of the content is ascertained	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for monitoring display of the content wherein the instructions for monitoring begin executing when it is determined that the content is beginning to be displayed and stop executing when it is determined that the content is no longer being displayed</p>	<p>Function: Keeping track of the display of content on a client computer wherein the instructions for monitoring continuously execute throughout the display of content on the computer screen.</p> <p>Structure: A Java applet operating on a client computer programmed to begin executing when it begins to display the content and to continue executing until it ends the display of the content and which: (i) indicates that the applet has executed each time that it displays the content; (ii) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (iii) record the position of the on-screen pointer in the window and when the on-screen pointer entered or exited the window through the Java HandleEvent method; or (iv) ascertains, through time stamps, a predefined beginning and end of the execution of the applet's instructions for displaying</p>

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				the content.
56.	6,108,637 [64]	instructions for causing content to be displayed by the computer system	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for causing content to be displayed by the computer system</p>	<p>Function: Causing content to be displayed on the screen of the client computer.</p> <p>Structure: HTML code containing an applet tag referring to a Java applet which, when executed on the client computer, causes content to be displayed.</p>
57.	6,108,637 [64]	instructions for monitoring display of content by the computer system to produce monitoring information regarding the display of the content, wherein the monitoring instructions are integrated with the display instructions such that execution of the display instructions causes execution of the monitoring instructions	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions for monitoring display of content by the computer system to produce monitoring information regarding the whether or how the content is displayed, wherein the monitoring instructions are integrated with and execute as a result of the execution of the display instructions</p>	<p>Function: Keeping track of the display of content on a client computer in order to generate information about whether the content is being displayed, or how it appears, on the display screen wherein the monitoring instructions are executed as a result of the display of the content.</p> <p>Structure: A Java applet operating on a client computer programmed to cause content to be displayed in a window and to monitor the display of such content which: (i) indicates that the applet has executed each time that the content is displayed; (ii) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (iii) record the position of the on-screen pointer in the window and when the on-screen pointer entered or exited the window</p>

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				through the Java HandleEvent method; or (iv) ascertains, through time stamps, a predefined beginning and end of the execution of the applet's instructions for displaying the content.
58.	6,108,637 [65]	instructions, adapted for use at the content display site, for monitoring display of content at the content display site to produce monitoring information regarding display of the content	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following construction for the element:</p> <p>instructions, adapted for use at the content display site, for monitoring display of content at the content display site, to produce monitoring information regarding whether and how the content is displayed</p>	<p>Function: Keeping track of the display of content on a client computer in order to generate information about whether the content is being displayed, or how it appears, on the display screen.</p> <p>Structure: A Java applet operating on a client computer programmed to cause content to be displayed in a window and which: (i) indicates that the applet has executed each time that the content is displayed ; (ii) periodically declare the window (or a portion thereof) as invalid and record the response of the operating system to the request to redraw the window (or a portion thereof); or (iii) record the position of the on-screen pointer in the window and when the on-screen pointer entered or exited the window through the Java HandleEvent method; or (iv) ascertains, through time stamps, a predefined beginning and end of the execution of the applet's instructions for displaying the content.</p>
59.	6,108,637 [65]	instructions for receiving monitoring information from the content display site	<p>This element is not subject to 35 U.S.C. 112(6).</p> <p>NetRatings believes the words in the element have their ordinary meaning as would be understood by those of ordinary skill in the art at the time of the invention. However, in view of WebSideStory's inaccurate description of the meaning of the element through its inappropriate identification of a "function," NetRatings provides the following</p>	<p>Function: Sending the information generated by the means for monitoring from the client computer and receiving that information at a remote site.</p> <p>Structure: A Java applet operating on the client computer programmed to send the monitoring information generated by the Java applet from the client computer to the content provider site, and software located at the content provider site</p>

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			<p>construction for the element:</p> <p>instructions for receiving monitoring information from the content display site</p>	<p>programmed to receive the monitoring information as part of an http file name in an http log file or as part of an http request for execution of a CGI script.</p>